

Pool Setback and Size Information

Regulatory Jurisdiction

The San Jose Zoning Ordinance regulates where swimming pools and spas may be located. For all occupancies, other than Single Family Dwellings in R designated Zoning Districts, contact the Planning Division to determine swimming pool and spa setbacks. Planning can be contacted by calling (408) 535-3555, between 9:00 a.m. and 4:00 p.m.

For Single Family Dwellings in R designated Zoning Districts, the following items specify general Zoning requirements pertaining to setback and size restrictions for swimming pools and spas:

Location and Setback Requirements

1. All pools and spas must maintain a minimum setback of 30 feet from the front property line to the pool.
2. The Municipal Code requires that all pools and spas have a minimum four feet setback to the pool fence enclosure.
3. Pools and spas located on interior lots must maintain a minimum 5-foot setback to the rear and side yard property lines.
4. Pools and spas located on corner lots must maintain a minimum 5-foot setback to the rear and side yard property line, except a minimum 9-foot setback is required on the side yard adjacent to the street.

Note: Pool setbacks are measured from the "waterline" of the pool.

Size Restrictions

The maximum rear yard lot coverage for built-in swimming pools is 60 percent of the rear yard, which includes all other accessory structures or buildings. Accessory buildings have a maximum rear yard lot coverage of 30 percent and a maximum cumulative area of 650 square feet

Note: Accessory structures are detached from the main structure and include swimming pools, spas, garages, gazebos, freestanding patio covers, playhouses and similar type structures.

Preliminary Review

The best way to determine size limitations and setback requirements for pools and spas is to obtain a *preliminary review*. To obtain a preliminary review, the applicant must prepare a site plan and bring the plan to the Development Services Center for review.

The site plan must include the following information:

The shape of the lot, including lot dimensions. A layout of all buildings on the lot, including building dimensions and existing setback dimensions. Setbacks are dimensions from the face of the building to the property line. Dimensions between the main building and accessory structures must also be listed.

Staff will review the site plan to see if:

The proposal complies with Zoning regulations or if there are any easements on the property

Note: It is not permissible to build on an easement.

Exception: Swimming pools may be built under a *Wire Clearance Easement* (WCE) if, so stipulated under the terms of the easement; and, clearances from overhead wires are maintained per the National Electric Code (NEC).

Additional information can be obtained by visiting our website at www.sanjoseca.gov/building/ or by calling our Information Inspector's voice mail at (408) 535-1701 and leaving a detailed message. In addition you may visit Development Services on the first floor of City Hall at 200 E. Santa Clara St. Our hours are 9:00 a.m. to 4:00 p.m. with limited service between 12:00 p.m. and 1:00 p.m.